

**TOWN OF WEST HARTFORD
ZONING BOARD OF APPEALS
WEDNESDAY, DECEMBER 20, 2017
DRAFT MINUTES**

ROLL CALL: 7:00 PM

ATTENDANCE: Chair: Lisa Sadinsky; Commissioners: Todd Doyle, Jared Grise, Donald Neville and Josh Smilowitz; Alternates: Angelo DiMatteo, Michael D'Amato Michael Johnson and Brian Pudlik, ZEO and Secretary to ZBA

The Zoning Board of Appeals met in the Legislative Chamber, Room 314, 50 South Main Street, West Hartford on Wednesday, December 20, 2017, at 7:00 p.m., to hear and act on the following petitions:

#12-17 110 Beechwood Road – Petition of J. Siegal representing Conard High School requesting a variance to Section 177-33 (E)(3) Signs in connection with special use permits authorized by the Town Plan and Zoning Commission which allows a maximum sign area of 25 sf and one (1) sign per lot. Requesting a variance of +/- 12.5 square feet for the installation one (1) +/- 32.5 square foot wall sign to be mounted to the back of the stadium press box. The existing monument sign on the property is five (5) square feet, therefore the aggregate of the two is in excess of the 25 square foot allowance and the one (1) sign restriction. **R-6 Zone**
Postponed from the November 15th regular meeting of the ZBA

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Neville made a motion to grant the petition; second by Commissioner Grise. In reaching its decision, the Board found the following conditions to exist:

1. **The applicant was not able to present a legal hardship as rationale for why the variance should be granted.**
2. **The applicant did not express any reason as to why this variance should be granted other than aesthetic**

Opposed: Commissioners Neville, Doyle, Grise, Sadinsky and Smilowitz

VOTE: 0-5 Voting in favor: None

Petition denied.

#13-17 1358 New Britain Avenue – Petition of K. Shuskus representing the West Hartford United Methodist Church, requesting a variance to Section 177-33 (E)(3) Signs in connection with special use permits authorized by the Town Plan and Zoning Commission which allows a maximum sign area of 25 sf and one (1) sign per lot. Requesting a variance of +/- 177.5 square feet for the installation one (1) +/- 100 square foot wall sign to be mounted to the west side of the building facing the I-84 off ramp. The existing monument sign on the property is 25 square feet and the existing wall sign is 77.5 square feet, therefore the aggregate all signs is in excess of the 25 square foot allowance and the one (1) sign restriction. **R-6 Zone**
Postponed from the November 15th regular meeting of the ZBA



At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Neville made a motion to grant the petition; second by Commissioner Doyle. In reaching its decision, the Board found the following conditions to exist:

1. **The applicant was not able to present a legal hardship as rationale for why the variance should be granted.**
2. **The amount of signage already on the building is well in excess of what is permitted in the zone, therefore this request would exacerbate an already non-conforming condition.**

Opposed: Commissioners Neville, Doyle, Grise, Sadinsky and Smilowitz

VOTE: 0-5 Voting in favor: None

Petition denied.

#14-17 Appeal of the Zoning Enforcement Officer's decision to sign the permit application issued through the Town of West Hartford Division of Engineering thereby allowing the replacement and expansion of the driveway and parking area at 46 Kingswood Road such that it is, at certain points, closer than two (2) feet to the property line of 50-52 Kingswood Road and that it creates and unsafe condition. **Postponed until January 17, 2018**

#15-17 **130 Middlebrook Road** – Petition of S. & C Kennedy, requesting a variance to section 177-20(D), Obstructions in Yards. Requesting a variance to the requirement that fences forward of the building line be no more than four (4) feet in height and not more than half-solid for the installation of a +/-37 foot section of solid and seven (7) foot tall fence in the area of Trout Brook Drive. **R-6 Zone**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Neville made a motion to grant the petition; second by Commissioner Grise. In reaching its decision, the Board found the following conditions to exist:

1. Granting of the variance is in harmony with the purpose and intent of the West Hartford Code of Ordinances
2. Variance request is minor and will not adversely impact neighboring properties.
3. Variance is in character with the surrounding properties.
4. The unique shape of this lot and its position relative to Trout Brook Drive create a hardship for screening of the back yard
5. A fence permit must be obtained prior to any construction activity.

VOTE: 5-0; Voting in favor were Commissioners: Neville, Doyle, Grise, Sadinsky and Smilowitz
Opposed- 0
Petition approved.

#16-17 **24 Lindy Lane** – Petition of S. Goodwin for approval of a Special Exception in order to hold yoga instruction classes to one student at a time as a Customary Home Occupation accessory to the residence per section 177-49(C) of the West Hartford zoning ordinances, for a period of one (1) year. **R-10 Zone**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Doyle made a motion to grant the petition. Second by Commissioner Grise. The Board made its decision to grant the petition with the following conditions:

1. **This permission is granted for a period of one (1) year.**
2. **The hours of operation shall be:**
7 days a week: 9:00a.m.-5:00p.m.
By appointment only; One client per day
3. **The premises shall be maintained in a manner satisfactory to the Zoning Board of Appeals and the Zoning Enforcement Officer.**
4. **No signage.**
5. **No employees.**
6. **Client parking must be on the driveway, on site.**

VOTE: 5-0 **Voting in favor were Commissioners Doyle, Grise, Neville, and Sadinsky and Smilowitz**

Opposed – 0

#17-17 **69 North Main Street** – Petition of K. Sleight for renewal of a Special Exception in order to operate a counseling/psycho-therapy office as a Customary Home Occupation as an accessory to the residence per section 177-49(C) of the West Hartford zoning ordinances, for a period of five (5) years. **R-6 Zone**

At the regular meeting of the Zoning Board of Appeals, immediately following the public hearing, the following action was taken:

Commissioner Doyle made a motion to grant the petition. Second by Commissioner Neville. The Board made its decision to grant the petition with the following conditions:

1. **This permission is granted for a period of five (5) years. At that time you will be notified of the requirement to renew this permit. Failure to renew will render this approval void.**
2. **The hours of operation shall be:**
Monday – Friday 9:00 am – 9:00 pm
Saturday - 9:00 am – 5:00 pm
3. **The premises shall be maintained in a manner satisfactory to the Zoning Board of Appeals and the Zoning Enforcement Officer.**

VOTE: 5-0 **Voting in favor were Commissioners Doyle, Grise, Neville, and Sadinsky and Smilowitz**

Opposed - 0

Petition Approved.

- Approval of minutes of the regular meetings held December 21, 2016 (Motion: Neville; Second: Sadinsky/ Approved), March 20, 2017 (Motion: Grise; Second: Smilowitz/ Approved), May 17, 2017 (Motion: Neville; Second: Grise/ Approved), July 19, 2017 (Motion: Johnson; Second: Doyle/ Approved), September 18, 2017 (Motion: Neville; Second: DiMatteo/ Approved) and October 18, 2017 (Motion: Johnson; Second: Grise/ Approved)

- Election of ZBA Officers for 2017: Commissioner Grise made a motion to elect Lisa Sadinsky as Chair and Joshua Smilowitz as Vice-Chair/Second by Commissioner Neville/Approved
- Election of ZBA Officers for 2018: Commissioner Grise made a motion to elect Lisa Sadinsky as Chair and Todd Doyle as Vice-Chair/Second by Commissioner Neville/Approved
- Adjournment (Motion: Neville; Second: DiMatteo/ Approved. **Meeting adjourned at 8:25pm**)